

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO.547 OF 2015
 IN
 COMPANY PETITION NO.155 OF 2014

...
 M/s.Mediaman Infotech Pvt.Ltd. ...Appellant
 v/s.
 M/s.Hindustan Cargo Limited ...Respondent

...
 Mr.Kunal Parekh i/b M/s.Thakore Jariwala & Associates for the Appellant.
 Mr.Nilesh Das for the Respondent.

...
CORAM : A.S.OKA &
A.A. SAYED, JJ.

DATED : 12 JULY 2016

P.C.:

Learned Counsel appearing for the Appellant, on instructions of the Appellant, states that he is not pressing the Appeal on merits. However, he is seeking extension of time to deposit the amount of Rs.3.89 lakh as directed under the impugned order by further period of four weeks.

2. The said prayer is opposed by the Respondent.

3. As the Appellant is not pressing the Appeal on merits and is accepting the legality and validity of the impugned order, by way of last chance, an extension deserves to be granted. Accordingly, we pass the following order:

O R D E R

- (i) We uphold the findings recorded by the learned single Judge in the impugned order dated 26 August 2015;
 - (ii) By way of indulgence, we extend the time granted to the Appellant to deposit a sum of Rs.3.89 lakhs in terms of paragraph 4(i) of the impugned judgment and order by further period of one month from today. We make it clear that in no circumstances, further extension will be granted;
 - (iii) on the failure of the Appellant to deposit the aforesaid amount during the extended period of one month, consequences provided in paragraph 4 of the impugned order will follow;
4. Subject to aforesaid modification, the Appeal is dismissed. Notice of Motion does not survive and the same is disposed of.

(A.A. SAYED, J.)

(A.S.OKA, J.)